

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
September 9, 2014 – 8:00 pm
Town Hall Auditorium
AGENDA
(Tentative)

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

PUBLIC HEARINGS:

- PH-1 Designating the Traphagen Property and Houses as a Historical Site
- PH-2 Proposed Local Law entitled, "Term Limits – Chapter 263 of the Code of the Town of Clarkstown"

PUBLIC COMMENTS REGARDING AGENDA ITEMS:

(Limited to 3 minutes per person)

RESOLUTIONS:

1. Accepting Minutes of the August 5, 2014 Town Board Meeting, as submitted by the Town Clerk
2. Authorizing Accepting Funds and Amending Budget
3. Authorizing the purchase of three pickup trucks for the Parks & Recreation Department
4. Authorizing the following Bid Award
 - RFP #6-2014 – Removal of sludge and cleaning of oilwater separator at Clarkstown Highway Department
5. Authorizing the Purchasing Agent to advertise for
 - Bid #26 -2014 - Highway Department Equipment and Labor for Emergency Situation(s)
6. Authorizing a partial refund of Building permit fee to HMS Bard, LLC
7. Authorizing preparation of a preliminary appraisal for a Tax Certiorari matter regarding Koenig Management LTD (Tax Map No. 43.15-1-19)
8. Authorizing the Supervisor to enter into the following Agreements with the:
 - a. County of Rockland concerning the "Super Saver" Discount Program for the Clarkstown Mini Trans
 - b. Nyack Hospital for an Employee Assistance Program
 - c. Nanuet Union Free School District concerning Universal Pre-Kindergarten Program
9. Accepting Deed for parkland – Valley Rise Subdivision (52.20-1-29.4 & 20)
10. Authorizing Acceptance of Conservation Easement regarding Valley Rise Subdivision
11. Granting Certificates of Registration:
 - 14-34 S.H.F. Corporation, Inc.

12. Amending Resolution No. 429-2013 (Town Board Meeting/Workshop Meeting Schedule for 2014) by moving the November 6th meetings to Wednesday, November 5th at 7:00pm for the Town Board meeting and 7:30pm for the Workshop meeting.
13. Authorizing Settlement of Tax Certiorari regarding
 - a. John Olori and Ronald Olori (Tax Map No. 58.17-1-36)
 - b. JP Morgan Chase (Tax Map No(s): 44.15-3-23 and 44.15-3-24)
 - c. Mandel Family Realty Corp. (Tax Map No. 52.15-1-6)
14. Approving Personnel Changes:
 - a. Appointment: Diane Peppenmeyer, Administrative Aide (Promotional/Permanent), Planning Department
 - b. Appointment: Catherine T. Cirrone, Administrative Secretary (Permanent), Planning Department
 - c. Appointment: Stacey L. Lakis (Promotional/Permanent), Principal Clerk Typist, Planning Department
 - d. Appointment: Elizabeth McDonald (Promotional/Permanent), Assessing Clerk I, Assessor's Office
 - e. Appointment: Dennis Malone (Promotional/Permanent), Fleet Manager, Department of Municipal Transportation
 - f. Reappointment: Joanne Trainor, Member, Assessment and Review Board
 - g. Creation: Police Sergeant, Clarkstown Police Department
 - h. Leave of Absence: Gregory Barra, Auto Mechanic & Body Repairer, Town Garage
 - i. Sick Leave of Absence: Lawrence Berkowitz, Computer Network Specialist, Recreation & Parks Department
15. Authorizing funds for the purchase of three pickup trucks for the Parks & Recreation Department
16. Authorizing the Supervisor to enter into a Lease Agreement for the rental of Unit 8 in Building 20 at Normandy Village Section II
17. Authorizing the Town Attorney to pursue property donation
18. Authorizing the installation of "No Parking Here to the Corner" sign at Lenox Avenue in Congers
19. Authorizing the installation of pavement markings on Schriever Lane in New City
20. Granting permission to the Defiant Brewing Company to dispense alcoholic beverages at the annual Italian Festival in Congers on September 28, 2014
21. Denying Reallocation Request pursuant to CSEA Contract – Article VIII, Section 5
22. Authorizing the Supervisor to enter into an Agreement with Public Sector HR Consultants LLC for CSEA grade allocation analysis

GENERAL PUBLIC COMMENTS:

(Limited to 3 minutes per person)

*****PLEASE NOTE*****

Additional items may be added to this agenda

*****To View Actual Resolutions, go to Town Clerk's Website, Click on Legal Matters*****

PH1

RESOLUTION DESIGNATING THE TRAPHAGEN PROPERTY AND HOUSES
AS AN HISTORICAL SITE - MAP 58.7-1-86

WHEREAS, it has been proposed by the Historic Review Board that the property and houses known as the Traphagen property and Traphagen and Vanderbilt Budke Houses, located at 131 Germonds Road, West Nyack, New York, which is designated on the Clarkstown Tax Map as Map 58.7-1-86, currently owned by the Town of Clarkstown, be designated as an historical site pursuant to Chapter 25-3(C) of the Town Code of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and posted as required by law and said public hearing was duly held at the time and place specified in said notice;

NOW, THEREFORE, be it

RESOLVED, that the property and houses known as the Traphagen property and Traphagen and Vanderbilt Budke Houses, 131 Germonds Road, West Nyack, New York, Clarkstown Tax Map 58.7-1-86 be designated as an historical site pursuant to Chapter 25-3(C) of the Town Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said historical site be so indicated on the Official Map of the Town of Clarkstown.

Dated: September 9, 2014

TB 09-09 TA RES Historical Site-Traphagen-pm

awm

**RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. - 2014**

WHEREAS, a proposed local law entitled,

"TERM LIMITS - CHAPTER 263 OF THE CODE OF THE
TOWN OF CLARKSTOWN"

was introduced by Supervisor Gromack at a Town Board
meeting held on August 5, 2014, and

WHEREAS, the Town Board of the Town of Clarkstown, by
resolution adopted on August 5, 2014, directed that a
public hearing be held on September 9, 2014 at 8:00 p.m.,
or as soon thereafter as possible, relative to such
proposed local law, and

WHEREAS, notice of said hearing was duly prepared and
published in the Journal News on September 2, 2014, and

WHEREAS, a copy of the proposed local law was placed
on the desks of the Supervisor and the Councilpersons at
their office at the Clarkstown Town Hall, 10 Maple Avenue,
New City, New York, on August 28, 2014, and

WHEREAS, a public hearing was held by the Town Board
of the Town of Clarkstown on September 9, 2014;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. - 2014 entitled:

"TERM LIMITS - CHAPTER 263 OF THE CODE OF THE
TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the
Town Board of the Town of Clarkstown, the vote for adoption
being as follows:

Alexander J. Gromack, Supervisor . . .
Shirley Lasker, Councilwoman
Frank Borelli, Councilman
George A. Hoehmann, Councilman . . .
Stephanie G. Hausner, Councilwoman . .

The Clerk of the Town of Clarkstown is hereby directed
to file the local law pursuant to Section 27 of the
Municipal Home Rule Law.

Dated: September 9, 2014

TB 09-09 TA RES Adopt Local Law Term Limits-Chap 263-pm

awm

(1)

RESOLVED, that the Town Board Minutes of August 5, 2014
are hereby accepted, as submitted by the Town Clerk.

DATED: September 9, 2014

RESOLUTION AUTHORIZING ACCEPTING FUNDS & AMENDING BUDGET

WHEREAS, the Town has received \$235,542.91 from Rockland County Sewer District #1 and \$3,731.23 from DARE donations

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8760-409-0-84-9 (Capital Projects-Sewer Pump Stations) by \$235,542.91 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-9-2705-0 (General-Gifts & Donations) and Expense Account A-3230-319-0 (DARE-Misc Supplies) by \$3,731.23 and

WHEREAS, certain accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Account A-1670-204-0 (Mail & Copy-Office Machines) and increase Account A-1670-111-0 (Mail & Copy-Overtime) by \$410 and be it,

FURTHER RESOLVED, to decrease Account A-3020-319-0 (Central Communications-Misc Supplies) and increase Account A-3020-230-0 (Central Communications-Communication Equipment) by \$270 and be it,

FURTHER RESOLVED, to decrease Account A-3989-417-0 (Emergency Operations-In Service Training) and increase Account A-3989-225-0 (Emergency Operations-Computer Hardware) by \$5,710 and be it

FURTHER RESOLVED, to decrease Account A-7210-407-0 (Refreshment Stands-Equipment Repair) and increase Account A-7620-409-0 (Adult Activities-Fees for Services) by \$19.

RESOLUTION AUTHORIZING THE PURCHASE
OF THREE PICKUP TRUCKS FOR THE PARKS
AND RECREATION DEPARTMENT

WHEREAS, the Parks and Recreation Department has requested three pickup trucks to replace vehicles that have been removed from service.

RESOLVED, that total vehicle purchases shall not exceed \$110,000.00 without further authorization of the Board, and be it

FURTHER RESOLVED, that all such vehicles shall be purchased from New York State Contracts and/or appropriate County Contracts and shall constitute a Proper charge to Account No. H-8767-409-90-16 and be it

FURTHER RESOLVED, that it is the Town Board's intent to fund such purchases through the issuance of serial bonds.

Dated: September 9, 2014

awm

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Superintendent of Highways that

RFQ#6-2014 -- REMOVAL OF SLUDGE AND CLEANING OF OIL/WATER SEPARATOR AT CLARKSTOWN HIGHWAY DEPARTMENT

is hereby awarded to: CASTLTON ENVIRONMENTAL CONTRACTORS, LLC
80 WEST NYACK ROAD
NANUET, NY 10954
PRINCIPALS: WILLIAM JACOBSEN

as per the item/price schedule

- 1 – Vacuum out water and oil and properly dispose of \$.80 per gallon
- 2 – Vacuum truck rate \$ 145.00 per hour
- 3 – Pressure wash and removal of sludge and disposal (includes one 55 gallon drum) \$ 5000.00 flat rate
- 4 – Removal of sludge and disposal in 55 gallon drums in addition to drum noted above \$ 175.00 per drum
- 5 – Removal and disposal of oil stained absorbent pads and sock absorbent pad removal from center floor drain and stored in NYS DOT approved 55 gallon drums \$ 175.00 per drum
- 6 – Transportation \$ 650.00

DATED: September 9, 2014

awm

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:

**BID#26-2014 – HIGHWAY DEPARTMENT – EQUIPMENT AND LABOR
FOR EMERGENCY SITUATION(S)**

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at _____ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

DATE: September 9, 2014

awm

(6

RESOLUTION AUTHORIZING A PARTIAL REFUND OF BUILDING PERMIT
FEE TO HMS BARD, LLC CONCERNING PROPERTY DESIGNATED AS TAX
MAP NO. 53.13-2-30

WHEREAS, Harry Soffer, Managing Member of HMS Bard, LLC, has requested a refund of Building Permit Fee (#13-720) paid in the amount of \$820.00 for property located at 753 Route 9W, Valley Cottage, New York, more particularly described as Tax Map No. 53.13-2-30, because the application is being withdrawn, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$300.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of \$520.00 to HMS Bard, LLC to be charged to Account No. B-02-6-2555-0.

Dated: September 9, 2014

TB 09-09 TA RES Bldg Permit Partial Refund HMS Bard LLC-pm

awm

**RESOLUTION AUTHORIZING PREPARATION OF A
PRELIMINARY APPRAISAL FOR A TAX CERTIORARI MATTER
REGARDING KOENIG MANAGEMENT LTD.
TAX MAP NO.(s): 43.15-1-19**

WHEREAS, Koenig Management LTD has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map No.(s) 43.15-1-19, and more commonly known as 120 North Main Street, New City, New York, for the year(s) 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15; and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Valuation Plus, Inc. be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$3,400; and such fee shall be charged to Account No. A 1420-439-1.

Dated: September 9, 2014

TB 09-09-14 TA RES Koenig Mgmt. Prelim. Appraisal-dt

awm

(8a)

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND CONCERNING THE "SUPER SAVER" DISCOUNT PROGRAM FOR THE CLARKSTOWN MINI TRANS

WHEREAS, the County of Rockland and the Town of Clarkstown wish to coordinate bus fares as it relates to cash paying full fare adults on the "Transport of Rockland" (TOR) and the "Clarkstown Mini Trans" (CMT), and

WHEREAS, the Town Board of the Town of Clarkstown wishes to participate in the County of Rockland Department of Public Transportation "Super Saver" Discount Program for the Clarkstown Mini Trans;

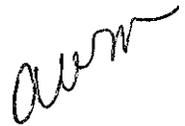
NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to provide for the coordination of bus fares as it relates to cash paying full fare adults on the Transport of Rockland and the Clarkstown Mini Trans, and for the Town of Clarkstown to participate in the County's "Super Saver" Discount Program, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to April 3, 2014.

DATED: September 9, 2014

TB 09-09-14 TA RES Mini Trans Super Saver - kh



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN EMPLOYEE ASSISTANCE PROGRAM AGREEMENT WITH NYACK HOSPITAL

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with NYACK HOSPITAL for an Employee Assistance Program covering all employees and members of their immediate families, for the twenty-four (24) month period commencing October 1, 2014 and terminating on September 30, 2016, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the agreement shall provide, among other provisions required by the Town Attorney, for contract indemnification of the Town, proof of professional liability insurance, and other general liability insurance with the Town of Clarkstown named as an additional insured, and be it

FURTHER RESOLVED, that the fee of \$20,461.00 per year for such services shall be charged to Account No. A-9000-809-0, and be it

FURTHER RESOLVED, that either party may terminate the agreement on thirty (30) days written notice.

Dated: September 9, 2014

TB 09-09-114 TA RES-Nyack Hospital EAP agree-kh

awm

(8c 1

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NANUET UNION FREE SCHOOL DISTRICT CONCERNING UNIVERSAL PRE-KINDERGARTEN PROGRAM

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the Nanuet Union Free School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the Nanuet Union Free School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2014-2015 school year, and be it

FURTHER RESOLVED, that the Nanuet Union Free School District shall pay \$2,400 for each child duly enrolled in the Universal Pre-Kindergarten Program.

Dated: September 9, 2014

awm

RESOLUTION AUTHORIZING ACCEPTANCE OF CONSERVATION EASEMENT
REGARDING VALLEY RISE SUBDIVISION (52.20-1-29.4 & 20)

WHEREAS, based upon the recommendation of the Department of Environmental Control and as a condition to the approval of the final map by the Planning Board with regard to the Valley Rise Subdivision (52.20-1-29.4 & 20), Phoenix Homes, Inc. has provided a conservation easement to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control recommends acceptance of the conveyance, subject to review and approval of the Department of Environmental Control and the Town Attorney;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the conservation easement from Phoenix Homes, Inc. in connection with the Valley Rise Subdivision, subject to approval of the Department of Environmental Control and the Town Attorney, and upon approval, orders it recorded in the Rockland County Clerk's Office, subject to the receipt of the recording fee.

Dated: September 9, 2014

TB 09-09 TA RES Valley Rise Subd Cons Ease-pm

awm

RESOLUTION ACCEPTING DEED FOR PARKLAND
VALLEY RISE SUBDIVISION (52.20-1-29.4 & 20)

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as Valley Rise (52.20-1-29.4 & 20), the Planning Board of the Town of Clarkstown requested a deed for Lot 16 to be used as parkland, and

WHEREAS, Phoenix Homes, Inc. has provided a deed for Lot 16 to be gratuitously dedicated to the Town for park & recreation purposes, and

WHEREAS, the First Deputy Director of the Department of Environmental Control recommends acceptance of the conveyance, subject to review and approval of the Department of Environmental Control and the Town Attorney;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts the deed from Phoenix Homes, Inc., gratuitously conveying Lot 16 to the Town of Clarkstown for park and recreation purposes in regard to the Valley Rise Subdivision, subject to approval of the Department of Environmental Control and the Town Attorney; and upon filing of the final map, orders said deed recorded in the Rockland County Clerk's Office at the expense of the grantor.

Dated: September 9, 2014

awm

(11)

**RESOLUTION GRANTING CERTIFICATES OF REGISTRATION
PURSUANT TO SECTION 236-48 OF THE TOWN CODE**

WHEREAS, the following have applied for a Certificate of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

S.H.F. CORPORATION, INC.
23 Briarwood Drive
New City, New York 10956
Shawn H. Failing, President

NOW, THEREFORE, be it
RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

14-34 S.H.F. CORPORATION, INC.

DATED: September 9, 2014 .

TB 09-09-14 TA RES Certificate of Registration Sewers-sk

awm

RESOLUTION AMENDING RESOLUTION NO. 429-2013
(TOWN BOARD MEETING/WORKSHOP MEETING SCHEDULE FOR 2014)

WHEREAS, by Resolution No. 429-2013, adopted November 7, 2013, the Town Board set the Town Board Meeting and Workshop Meeting schedule for the year 2014, and

WHEREAS, the Town Board wishes to move the scheduled November 6, 2014 Town Board and Workshop meetings to November 5, 2014;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 429-2013 by moving the November 6th Town Board and Workshop meetings to Wednesday, November 5, 2014 at 7 p.m. for the Town Board meeting and 7:30 p.m. for the Workshop meeting.

Dated: September 9, 2014

TB 09-09 TA RES Amend TB-WS meeting 2014 Sched-pm

awm

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING JOHN OLORI and RONALD OLORI
TAX MAP NO(S): 58.17-1-36**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, John Olori and Ronald Olori v. The Assessor, The Board of Assessors and The Board of Assessment Review of The Town of Clarkstown and The Town of Clarkstown, Index No(s). 6957/09, 7584/10, 31179/11, 33714/12, 34062/13, 33176/14, affecting parcel designated as Tax Map 58.17-1-36 and more commonly known as, 11 Seeger Lane, Nanuet. New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-36 be reduced for the year(s) 2009/10 from \$719,250 to \$647,300 at a cost to the Town of \$1,602.86;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-36 be reduced for the year(s) 2010/11, 2011/12 and 2012/13 from \$719,250 to \$676,100 at a total cost to the Town of \$3,211.64;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.17-1-36 be reduced for the year(s) 2013/14 and 2014/15 from \$719,250 to \$690,500 at a total cost to the Town of \$879.68;

4. Reimbursement for the year(s), 2009/10, 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15 on the parcel(s) described as Tax Map No.(s) 58.17-1-36, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

5. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

Dated: September 9, 2014

TB 09-09-14 TA RES John Olori and Ronald Olori Settlement-dt

A handwritten signature in black ink, appearing to be 'AUM', is located in the lower right quadrant of the page.

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING JPMORGANCHASE
TAX MAP NO(S).: 44.15-3-23 and 44.15-3-24**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, JPMORGANCHASE v. The Board of Assessors and/or The Assessor of The Town of Clarkstown and The Board of Assessment Review, Index No(s). 007343/09, 006986/10, 030730/11, 033887/12, 033598/13 and 033034/14, affecting parcel designated as Tax Map 44.15-3-23 and 44.15-3-24, and more commonly known as 56 Lake Road Congers, New York, and 60 Lake Road, Congers, New York for the year(s) 2009/10, 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 44.15-3-23 be reduced for the year(s) 2010/11 from \$181,900 to \$167,750 at a cost to the Town of \$333.74;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 44.15-3-23 be reduced for the year(s) 2011/12 from \$181,900 to \$177,400 at a cost to the Town of \$110.72;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 44.15-3-23 be reduced for the year(s) 2012/13 from \$181,900 to \$178,750 at a cost to the Town of \$82.66;

4. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 44.15-3-23 for the year(s)

5. Reimbursement for the year(s) 2010/11, 2011/12 and 2012/13 on the parcel(s) described as Tax Map No.(s) 44.15-3-23, as stated above, be made within ninety (90) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

6. The proceedings commenced by the petitioner(s) respecting Tax Map 44.15-3-24 be discontinued for the years 2009/10 through 2014/15 at no cost to the Town;

7. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

Dated: September 9, 2014

TB 09-09-14 TA RES JPMORGANCHASE Settlement-dt

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING MANDEL FAMILY REALTY CORP.
TAX MAP NO(S).: 52.15-1-6**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Mandel Family Realty Corp. v. The Board of Assessors and/or The Assessor of The Town of Clarkstown and The Board of Assessment Review, Index No(s). 4973/11, 033536/12, 033414/13 and 032911/14, affecting parcel designated as Tax Map 52.15-1-6 and more commonly known as, 210 Route 303, Valley Cottage, New York for the year(s) 2011/12, 2012/13, 2013/14 and 2014/15, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.15-1-6 be reduced for the year(s) 2011/12 from \$617,300 to \$524,700 at a cost to the Town of \$2,278.35;
2. The assessment on the premises owned by the petitioner(s) described on

the assessment roll as Tax Map 52.15-1-6 be reduced for the year(s) 2012/13 from \$617,300 to \$493,800 at a cost to the Town of \$3,240.60;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.15-1-6 be reduced for the year(s) 2013/14 and 2014/15 from \$617,300 to \$509,300 at a cost to the Town of \$3,304.53;

4. Reimbursement for the year(s), 2011/12, 2012/13 and 2013/14 on the parcel(s) described as Tax Map No.(s) 52.15-1-6, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

5 All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

Dated: September 9, 2014

TB 09-09-14 TA RES Mandel Family Realty Corp. Settlement-dt

awm

(14a)

WHEREAS, the Rockland County Personnel Office
has furnished Certification of Eligibles #14020 (Prom)
Administrative Aide (Planning) which contains the name of
Diane Papenmeyer,

NOW, therefore, be it

RESOLVED, that Diane Papenmeyer, 221 Strawtown Road, West
Nyack, New York - is hereby appointed to the position of
(promotional) (permanent) Administrative Aide (Planning) -
Planning Department - at the current annual salary of \$92,081.,
- effective and retroactive to August 8, 2014.

DATED: September 9, 2014
P

(146)

RESOLVED, that Catherine T. Cirrone, 157 So. Little Tor Road, New City, New York - is hereby appointed to the position of (Permanent) Administrative Secretary - Planning Department, at the current 2014 annual salary of \$60,677., - effective and retroactive to August 8, 2014.

DATED: September 9, 2014

P

14c
Amended

WHEREAS, the Rockland County Personnel Office has certified on July 10, 2014 that the position of Principal Clerk-Typist - Planning Department - can be established,

NOW, therefore, be it

RESOLVED, that the position Principal Clerk-Typist - Planning Department - is hereby established on August 25, 2014.

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12010 Principal Clerk-Typist which contains the name of Stacey L. Lakis,

NOW, therefore, be it

FURTHER RESOLVED, that Stacey L. Lakis, 10 Tuxedo Lane, Congers, New York - is hereby appointed to the position of Principal Clerk-Typist (Perm) (Prom) - Planning Department - at the current annual salary of \$66,217., - effective September 9, 2014.

DATED: September 9, 2014

P

14d

WHEREAS, the Rockland County Personnel Office
has furnished Certification of Eligibles #14022 (Prom)
Assessing Clerk I which contains the name of
Elizabeth McDonald,

NOW, therefore, be it

RESOLVED, that Elizabeth McDonald, 187 Old Rte 304,
New City, New York - is hereby appointed to the position of
(promotional) (permanent) Assessing Clerk I - Assessor's Office
- at the current annual salary of \$53,166., - effective and
retroactive to August 8, 2014.

DATED: September 9, 2014
P

(14e

WHEREAS, the Rockland County Personnel Office
has furnished Certification of Eligibles #14033 (Prom)
Fleet Manager (Towns) which contains the name of
Dennis Malone,

NOW, therefore, be it

RESOLVED, that Dennis Malone, 15 Pine Avenue,
Congers, New York - is hereby appointed to the position of
(promotional) (permanent) Fleet Manager (Towns) - Department of
Municipal Transportation - at the current annual salary of
\$109,078., - effective and retroactive to August 15, 2014.

DATED: September 9, 2014

P

(14f)

RESOLVED, that Joanne Trainor, 233 South Harrison Avenue, Congers, New York - is hereby reappointed to the position of Member - Assessment and Review Board - term effective October 1, 2014 and to expire on September 30, 2019 - at the per diem rate of \$175., per day, when the Board is in session.

Dated: September 9, 2014

P

14g

WHEREAS, the Rockland County Personnel Office has
Certified on September 9, 2014 that the position of
Police Sergeant, can be created,

NOW, therefore, be it

RESOLVED, that the position of Police Sergeant -
Clarkstown Police Department - is hereby created -
effective September 9, 2014.

DATED: September 9, 2014

P

(14h)

RESOLVED, that Gregory Barra, 42 Thompson Drive,
Washingtonville, New York - Auto Mechanic & Body
Repairer - Town Garage - is hereby granted a leave of
absence without pay effective and retroactive to
August 19, 2014 thru September 30, 2014.

DATED: September 9, 2014
P

RESOLVED, that in accordance with Article XVIII,
Section 3 (k) of the Labor Agreement between the Town
of Clarkstown and the Clarkstown Unit of the C.S.E.A.,
Lawrence Berkowitz, 4 Brisman Drive, P.O.B. 304, Thiells,
New York - Computer Network Specialist - Recreation
Department is hereby granted a Sick Leave of Absence at
one-half pay effective and retroactive to
September 5, 2014 thru October 5, 2014.

DATED: September 9, 2014

P

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED SEPTEMBER 9, 2014,
AUTHORIZING THE ACQUISITION OF THREE PICK-UP
TRUCKS FOR USE BY THE PARKS AND RECREATION
DEPARTMENT, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$110,000, APPROPRIATING SAID
AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE
ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF
\$110,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY
OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than
two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to acquire three pick-up trucks for use by the
Parks and Recreation Department. The estimated maximum cost thereof, including preliminary
costs and costs incidental thereto and the financing thereof, is \$110,000 and said amount is
hereby appropriated for such purpose. The plan of financing includes the issuance of \$110,000
serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all
the taxable real property in the Town to pay the principal of said bonds and the interest thereon
as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$110,000 are
hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Sections 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the

amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this

resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 9, 2014, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted September 9, 2014, authorizing the acquisition of three pick-up trucks for use by the Parks and Recreation Department, stating the estimated maximum cost thereof is \$110,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$110,000 to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to acquire three pick-up trucks for use by the Parks and Recreation Department; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$110,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$110,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$110,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$110,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: September 9, 2014

Justin Sweet
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

awm

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A LEASE AGREEMENT FOR THE RENTAL OF UNIT 8 IN BUILDING 20 AT NORMANDY VILLAGE SECTION II

WHEREAS, pursuant to Resolution No. 433-2010 adopted by the Town Board on August 24, 2010, the Normandy Village Company gratuitously conveyed Unit 8 in Building 20 in Normandy Village Section II to the Town of Clarkstown for rental of the unit to an emergency services volunteer, and

WHEREAS, pursuant to Resolution No. 155-2012 adopted by the Town Board on March 20, 2012, the Town Board authorized the Supervisor to enter into an agreement with the Rockland Housing Action Coalition, Inc. (RHAC), to market and assist with rental of the unit, and

WHEREAS, RHAC has informed the Town Attorney that Craig Simon, a volunteer with the Nanuet Fire Engine Company, has met the criteria established for rental of the unit;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a lease agreement, in a form approved by the Town Attorney, for Unit 8 in Building 20 at Normandy Village Section II with Craig Simon for a period of one (1) year with an additional year option in an amount of \$664.00 per month, plus any increase in common charges or any special assessments, for the first year as well as the additional option year, along with a security deposit equal to one (1) month's rent.

Dated: September 9, 2014

awm

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO PURSUE PROPERTY DONATION

WHEREAS, the Town Attorney's Office was contacted by the heir to Reunited Realty, Inc., owner of property located at 108 S. Route 303, Congers, New York and designated on the Clarkstown Tax Map as 52.7-2-61, and

WHEREAS, the corporation has been dissolved and the widow of the late corporate officer is desirous of donating the parcel to the Town of Clarkstown;

NOW, THEREFORE be it, RESOLVED, that the Town Board hereby authorizes the Town Attorney to perform the appropriate deed and title research regarding said property ownership, and pursue and perfect the appropriate mechanism and paperwork for the Town Board to accept the donation.

Dated: September 9, 2014

TB 09-09 TA RES Property Donation 108 S Rt 303---jje

awm

**RESOLUTION AUTHORIZING THE INSTALLATION OF "NO PARKING
HERE TO CORNER" SIGN, LENOX AVENUE, CONGERS**

WHEREAS, parking near the intersection of Lake Road on Lenox Avenue, Congers by commercial occupants can cause a hazard to drivers pulling into Lenox Avenue, and

WHEREAS, the Traffic & Traffic Fire Safety Advisory Board has recommended that a "No Parking Here to Corner" sign be installed, and

WHEREAS, the Town Board wishes to improve traffic safety at this intersection and in Clarkstown in general;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a "**NO PARKING HERE TO CORNER**" sign on the west side of Lenox Avenue, Congers at a distance of thirty-five (35) feet from the intersection of Lake Road with a North facing arrow, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Superintendent of Highways, the Chief of Police and the Traffic & Traffic Fire Safety Advisory Board for implementation, enforcement, and information, respectively.

DATED: September 9, 2014

TB 09-09 TA RES No Parking Here to Corner-Lenox Avenue--jje

awm

RESOLUTION AUTHORIZING THE INSTALLATION OF PAVEMENT MARKINGS, SCHRIEVER LANE, NEW CITY

WHEREAS, parking along the south side of Schriever Lane, New City, where the building at the corner of South Main Street is in close proximity to the Town's Right of Way, can cause a restriction in the width of the traffic lane, particularly with commercial truck deliveries, and

WHEREAS, existing signage has been ineffective and constantly damaged or removed, and

WHEREAS, the Traffic and Traffic Fire Safety Advisory Board, along with the Clarkstown Police Liaison, have recommended that pavement painting will be more effective, visible and enforceable at this location rather than signs;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to utilize white paint cross-hatching and NO PARKING along the south side of Schriever Lane on the pavement against the closely located building approximately thirty-five (35) feet west of the intersection of South Main Street, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Superintendent of Highways, the Chief of Police and the Traffic & Traffic Fire Safety Advisory Board for implementation, enforcement, and information, respectively.

DATED: September 9, 2014

TB 09-09 TA RES Pavement Paint-Schriever Lane--jje

acum

RESOLUTION GRANTING PERMISSION TO THE DEFIANT BREWING COMPANY TO DISPENSE ALCOHOLIC BEVERAGES AT THE ANNUAL ITALIAN FESTIVAL IN CONGERS

WHEREAS, Section 93-3 of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to any person, company or organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, the Defiant Brewing Company wishes to obtain a permit from the Town Board to dispense alcohol at the Italian Festival sponsored by the Congers-Valley Cottage Rotary Club to be held on Town property, the Congers Train Station, 20 Burnside Avenue, Congers, New York, on September 28, 2014 with a rain date of October 5, 2014;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission for the Defiant Brewing Company to dispense alcoholic beverages at 20 Burnside Avenue, Congers, New York, in accordance with and subject to Section 93-3 of the Town Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that this Resolution shall constitute the permit.

Dated: September 9, 2014

awm

RESOLUTION DENYING REALLOCATION REQUESTS PURSUANT TO
CSEA CONTRACT – ARTICLE VIII, SECTION 5

WHEREAS, the Town Board has received numerous requests for reallocation of certain
grade titles in the Town of Clarkstown, and

WHEREAS, the Town Board has decided to hire a firm to do a comprehensive review of
all grade titles within the Town of Clarkstown, which shall be completed within ninety (90)
days of this date, and

WHEREAS, it has been determined by the Town Board to deny, without prejudice, all
pending applications for reallocation at this time, subject to completion of said review;

NOW, THEREFORE, be it

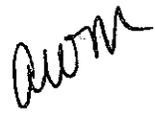
RESOLVED, that the Town Board hereby denies the reallocation requests for the
following grade titles:

- Office Services Aide
- Paralegal Specialist I
- Paralegal Specialist II
- Legal Stenographer
- Environmental Control Technician
- Environmental Resource Specialist
- Engineer II
- Environmental Control Supervisor, Survey & Design
- Personnel Assistant
- Information Services Specialist I (Police)
- Fire Safety Inspector
- Senior Recreation Supervisor
- Account Keeping Supervisor
- Principal Account Clerk
- Senior Account Clerk Typist
- Senior Payroll Clerk,

and be it

FURTHER RESOLVED, that the Town Board shall take the recommendations of the
firm under advisement upon completion of said review.

Dated: September 9, 2014
TB 09-09 TA RES Reallocation-pm



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN
AGREEMENT WITH PUBLIC SECTOR HR CONSULTANTS LLC
FOR CSEA GRADE ALLOCATION ANALYSIS

WHEREAS, Public Sector HR Consultants LLC is a professional services provider, working exclusively with public sector employers in New York State, that serves as a human resource management advisor for municipalities, and

WHEREAS, Public Sector HR Consultants LLC has submitted a proposal to conduct a job evaluation of the current job titles listed in Appendix "H" of the CSEA Collective Bargaining Agreement, and

WHEREAS, the results of this job evaluation will be used to recommend and justify the grade allocation for these job titles, and

WHEREAS, the Town Board wishes to avail the Town of Clarkstown of such services,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Public Sector HR Consultants LLC, 14 Knollwood Drive, Glenville, New York, in a form approved by the Town Attorney, to perform a job evaluation of the current job titles listed in Appendix "H" of the CSEA Collective Bargaining Agreement, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$41,250.00 plus travel expenses related to the provision of such services not to exceed \$2,500.00 and shall constitute a proper charge to Account No. A-1420-409.

awm

Dated: September 9, 2014

TB 09-09-14 TA RES-Highway Department Assessment-kh